

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



January 17, 1997

ALL COUNTY INFORMATION NOTICE NO.

I-03-97

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by CDSS

SUBJECT: FOOD STAMP PROGRAM IMPLEMENTATION OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996 (PUBLIC LAW 104-193)

The purpose of this notice is to reiterate the requirement that all County Welfare Departments (CWDs) implement all of the non-discretionary food stamp provisions of Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) by no later than the end of the quality control hold harmless period, January 21, 1997.

The California Department of Social Services (CDSS) has been notified that some CWDs have yet to implement some, or all, of the mandatory provisions of the PRWORA. The provisions in question are those included in emergency regulations signed by the Secretary of State on November 12, 1996, and transmitted to CWDs on November 13, 1996.

The United States Department of Agriculture, Food and Consumer Service (FCS) provided a 120-day hold harmless period for states to implement the mandatory requirements with the condition that instructions be issued within 30 days of federal enactment. In order to maintain this hold harmless period, CDSS issued All County Letter (ACL) 96-51 dated September 18, 1996, which instructed counties to act on the specific provisions of the act requiring immediate implementation. Subsequently, on October 31, 1996, in the case of Melgar v. Anderson, the Superior Court of the State of California issued a preliminary injunction enjoining CDSS and CWDs from implementing certain provisions of the PRWORA until such time as relevant regulations were promulgated. As stated above, such regulations were provided to CWDs on November 13, 1996 thereby satisfying the requirements of the court order. Consequently, the injunction issued in Melgar v. Anderson is not valid justification for failure to implement the mandatory provisions of the PRWORA.

Continued failure to implement the provisions of the PRWORA places the county at risk of future fiscal sanctions as the result of audit exceptions or quality control errors outside of the hold harmless period.

If you have any questions, please contact David Badal of the Food Stamp Program Bureau at (916) 654-1405.

A handwritten signature in cursive script that reads "Bruce Wagstaff".

BRUCE WAGSTAFF
Welfare Programs Division